

STATE OF WASHINGTON

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

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OFFICE OF
INSURANCE COMMISSIONER

In The Matter of

DANNY H. PARKHURST,

Licensee.

NO. 11-0304

CONSENT ORDER
SUSPENDING LICENSE AND
IMPOSING FINE

COMES NOW the Insurance Commissioner of the State of Washington, pursuant to the authority provided in RCW 48.01.020 and RCW 48.17.560, and having reviewed the official records and files of the Office of the Insurance Commissioner, makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT:

1. Danny H. Parkhurst is a Utah resident who since 2010 has held a nonresident insurance producer license in the State of Washington, License # 764829.
2. Mr. Parkhurst was appointed by Kansas City Life Insurance Company ("Kansas City Life"). In 2001, this appointment was cancelled.
3. Mr. Parkhurst obtained from a retiring Kansas City Life agent the names and policy information for 15 Washington residents who held Kansas City Life policies.
4. In 2011, Mr. Parkhurst contacted these Washington Kansas City Life policyholders to attempt to sell them replacement coverage and misrepresented himself as a Kansas City Life agent. For example, one Washington consumer advised that Mr. Parkhurst "clearly told me that he is my new agent for Kansas City Life and said he has other coverage with lower monthly payment for same coverage." Another Washington consumer stated that "Mr. Parkhurst identified himself as a person that serviced house accounts and orphan accounts for Kansas City Life." Others assumed Mr. Parkhurst was a Kansas City Life agent because he had all of their existing policy information.

CONCLUSIONS OF LAW:

1. By misrepresenting himself as a Kansas City Life agent, the Licensee committed multiple unfair insurance practices and knowingly made false, deceptive or misleading representations in the conduct of the business of insurance, or relative to the business of insurance or relative to any person engaged therein in violation of RCW 48.30.040.



CONSENT ORDER SUSPENDING LICENSE
AND IMPOSING FINE
No. 11-0304
Page 2

2. RCW 48.17.560 authorizes the Insurance Commissioner to revoke or suspend an insurance producer license or levy a civil penalty for violating insurance laws or using fraudulent or dishonest practices demonstrating incompetence or untrustworthiness.

CONSENT TO ORDER:

Danny H. Parkhurst, acknowledging his duty to comply fully with the applicable laws of the State of Washington, consents to the following in consideration of his desire to resolve this matter ~~without further administrative or judicial proceedings.~~ The Insurance Commissioner will suspend Mr. Parkhurst's nonresident Washington producer license for a period of six months and consents to settle the matter in consideration of said suspension and the Licensee's payment of a \$1,000.00 fine pursuant to RCW 48.17.560.

1. Danny H. Parkhurst consents to the entry of the foregoing Findings of Fact and Conclusions of Law and this Order and waives any and all hearing rights and further administrative or judicial challenge to the OIC's actions related to the subject matter of the Order.

2. By agreement of the parties, the Insurance Commissioner will suspend Mr. Parkhurst's nonresident Washington producer license for a period of six months and will impose a fine of \$1,000.00. The suspension period shall commence on the date of entry of this Order and the fine shall be fully paid no more than 30 days from entry of this Order.

3. Mr. Parkhurst's failure to timely pay this fine shall constitute grounds for revocation of his license, and shall result in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

EXECUTED this 6 day of Feb, 2012.

DANNY H. PARKHURST

By: 

Printed Name: Danny Parkhurst

CONSENT ORDER SUSPENDING LICENSE
AND IMPOSING FINE
No. 11-0304
Page 3

NOW, THEREFORE, pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

ORDER OF THE INSURANCE COMMISSIONER:

1. Pursuant to RCW 48.17.560, the Insurance Commissioner hereby suspends the Washington producer license of Danny H. Parkhurst, WAOIC # 764829, for a period of six months commencing on the date of entry of this Order and imposes a fine of ~~\$1,000.00~~ upon Danny H. Parkhurst.

The fine must be paid, in full, within thirty days of the date of entry of this Order. Failure to pay the fine and to comply with the stated conditions shall constitute grounds for revocation of Danny H. Parkhurst's license and a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

EXECUTED this th 13 day of February, 2012.

MIKE KREIDLER
Insurance Commissioner

By: Charles D. Brown
Charles D. Brown
Staff Attorney
Legal Affairs Division